

**NO. 74421**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 28 2006

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JUN 28 2006

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The applicant **Robert M. Hay** hereby makes application for permission to change the **point of diversion, place of use & manner of use of a portion** of water heretofore appropriated under **Permit 27893 Cert. 9998**

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1. The source of water is **Underground**
2. The amount of water to be changed **.5126 CFS**
3. The water to be used for **Commercial Purposes**
4. The water heretofore permitted for **Irrigation Purposes**
5. The water is to be diverted at the following point **within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 17, T.36N., R.38E., M.D.B.&M. or at a point from which the NW corner of said Section 17 bears N 36° 57' W, 502.0 feet.**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 9, T.36N., R.38E., M.D.B.&M.**
7. Proposed place of use **11.0 acres within that portion of the W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 17 T.36N., R.38E., M.D.B.&M. lying West of US Highway 95**
8. Existing place of use **12.1 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 14.1 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 12.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  all in Section 9, T.36N., R.38E., M.D.B.&M., 38.2 acres total of which 11.0 acres are to be removed from the NE $\frac{1}{4}$  SE $\frac{1}{4}$**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **March 1st to November 1st** of each year.
11. Description of proposed works **Drilled well and water distribution system, water tank & pipeline**
12. Estimated cost of works **in excess of \$100,000**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5-10 years**

15. Remarks: Water is to be used for a highway commercial development and the possibility of a motel or apartment complex. Initial development will be a truck repair facility followed by other commercial businesses and then motel or apartments. Water will also be used for landscaping & dust control.

By John H. Milton III, Agent  
S/ John H. Milton III  
146 West Second Street  
Winnemucca, NV 89445

Compared gkl/sc lt/ gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 27893, Certificate 9998, is issued subject to the terms and conditions imposed in said Permit 27893, Certificate 9998, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 74421 and 74422 shall not exceed 33.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5126 cubic feet per second, or 33.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

February 6, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

February 6, 2012

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 6th day of February, A.D. 2007

Tracy Taylor, P.E.  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_